



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 2/23/2023

**File ID:** TMP-2576

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**Department:** Water Pollution Control

**Subject:**

**Type of Action:** Introduction

Introduction of an Ordinance declaring certain property as surplus and no longer needed for Municipal use.  
Ordinance No.

**Does this item need to be published?** No

If yes, please list preferred date(s) of publication: N/A

**Finance Information:** N/A

**Account Number:** N/A

**City Cost Amount:** N/A

**Total Cost:** N/A

**Special Circumstances:** N/A

**Grant Funded:** N/A

**Grant Title - CFDA or granting Agency:** N/A

**Resolution #:** N/A

**Location:** (list below) N/A

**Address:** N/A

**District:** District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

**Additional Comments:** N/A

**ORDINANCE NO. 23-\_\_\_\_\_**

**WHEREAS**, the City Council of the City of Huntsville has determined that the property described below has been identified by Water Pollution Control as surplus to the needs of the purpose by the City of Huntsville and is no longer needed for a public or municipal purpose by the City of Huntsville.

**THEREFORE BE IT ORDAINED**, by the City Council of the City of Huntsville, Alabama that the property described below is surplus to the needs of the City of Huntsville and no longer needed for a public or municipal purpose by the City of Huntsville.

**BE IT FURTHER ORDAINED** that the Mayor and the City Clerk-Treasurer be, and they are hereby authorized and directed to enter into an agreement with JM Wood Auction Company, Inc. to sell at public auction the property described as follows to the highest bidder in an attempt to obtain the highest possible price for said property, all proceeds of which will be deposited into the Water Pollution Control Miscellaneous Revenue Fund, account # 6000-76-00000-460400-000000000:

**DEPARTMENT# 7600**

021296 - 2004 F150 XL SUPER CAB 4X4 GAS 2FTRX18W64CA14940  
021236 - 2002 CHEVY 2500 VAN 1GCGG25R221171598  
021408 - 2006 CHEVY 3500 GAS 1GBJC34U46E197376  
021186 - 2000 F-250 SINGLE CAB GAS 1FTNF21LXYED81654  
021278 - 2003 GMC 1500 4X4 PICKUP 1GTEK14VX3Z311690  
040170 - 1995 FORD 7740 TRACTOR BD79216  
021385 - 2006 F-450 SERVICE TRUCK 1FDXF46Y36EA01913  
050198 - 1992 DRESSER 100G TRACK LOADER  
050362 - 2001 KOMATSU 300 EXCAVATOR A84590  
040198 - NEW HOLLAND TL80 001296251  
020769 - 1989 C-150 CHEVROLET FLATBED 1GBJR34K5KF306591  
050319 - 1997 CAT 953C LOADER 2ZN00705  
050566 - 2017 KUBOTA KX080-4 EXCAVATOR SER# 36676  
050593 - 2018 KUBOTA ZD1211 MOWER SER#23171  
021647 - 2009 F-450 SERVICE TRUCK 1FDAF4GY0AEA18200  
840055 - JOHN DEERE MX10 ROTARY CUTTER WOMX10CO15889  
021563 - 2008 FORD F150 XL SUPERCAB 1FTPX12V58FB53295  
720042 - 2005 JOHN DEERE 54" Z-TRAC 757 TC0757BO418  
050535 - 2013 TORO GROUNDMASTER 3280-D 313000273

That said agreement between JM Wood Auction Company, Inc., and the City of Huntsville, a municipal corporation in the State of Alabama, is substantially in words and figures similar to that certain document attached hereto and identified as "Real Estate Auction Contract between the City of Huntsville and JM Wood Auction Company, Inc.," consisting of six (6)

**ORDINANCE No. 23- (Cont.)**

pages including any exhibits, and the date of March 9, 2023, appearing on the first page together with the signature of the President or Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville, Alabama.

**BE IT FURTHER ORDAINED** upon the completion of the public auction, that the Mayor and City Clerk-Treasurer be, and they are hereby, authorized and directed to execute and attest, respectively, for and on behalf of the City of Huntsville, Alabama; and signed by the Director of Water Pollution Control, conveyance of the title to the property, when applicable.

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

ATTEST:

\_\_\_\_\_  
Kenneth Benion  
Clerk-Treasurer



Corporate Office: 3475 Ashley Road, Montgomery, AL 36108  
South Carolina Office: 115 Belvedere Circle, West Columbia, SC 29172  
Phone: 334.264.3265; Fax 334.269.6990

January 24<sup>th</sup>, 2023

Huntsville Water Pollution Control  
Mayor Tommy Battle, City of Huntsville  
1800 Vermont Rd  
Huntsville, AL 35802  
256-261-9401

Re: Proposed Auction March 21-24, 2023

We want to thank you for allowing J.M. Wood Auction Company, Inc. the opportunity of submitting a proposal on the auction of your surplus equipment. Since 1973, J.M. Wood Auction Co. Inc. has conducted thousands of public auctions and sold billions of dollars of heavy machinery and trucks to buyers across the world. We believe our marketing methods along with our extensive global reach to buyers are necessary for you to achieve the true global market value of your assets.

- ❖ **Auction Location and Date:** The proposed auction will be March 21-24, 2023 at our one-hundred-acre permanent auction facility in Montgomery, Alabama.
- ❖ **Traditional Auction Marketing:** J.M. Wood Auction will promote and feature your equipment in our full color auction magazine. A personalized mailing list will be selected from our database of over 100,000 domestic and international buyers. We will select potential buyers to market to by targeting recent buying patterns, trending industries, and regional activity. Your auction will be promoted in numerous industry specific trade magazines as well as in over (300) newspapers reaching a broad range of potential buyers.
- ❖ **Online Auction Marketing:** Our team will go to work immediately posting your inventory with multiple photos and inspections on JMWood.com. Our website is an essential tool in reaching thousands of buyers who visit our site daily. Your inventory will also be posted on numerous worldwide industry related sites in front of millions of buyers searching for equipment for their operations in countries across the globe. Your equipment will also be featured in J.M. Wood Auction's award-winning social media marketing campaign consisting of outlets such as Face book, Twitter, YouTube and more. J.M. Wood Auction has been recognized by both Facebook and Constant Contact as one of their annual top performing marketing companies.

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President of the City Council of  
the City of Huntsville, AL  
Date: \_\_\_\_\_

- ❖ **Auction Delivery, Pre-Auction Services and Set Up:** We encourage you to schedule delivery of your equipment to the auction facility as soon as possible. This allows adequate time for pre-auction services such as detailed inspection reports, photography, video, clean-up, and repairs. J.M. Wood Auction will provide the seller with a detailed report on any repairs and clean-up deemed necessary to make the equipment bring the maximum dollar. No repairs will be made without prior consent from seller. J.M Wood Auction will coordinate an on-site detailed clean-up service on the equipment listed on the sellers (Exhibit "A"). J.M. Wood Auction will have representatives aggressively marketing your equipment and answering questions from prospective buyers prior to the auction.
- ❖ **Auction Day:** With 50 years in the auction business, it is in our blood. We live for auction day, and it is exciting! When you arrive at one of our world class drive through auction facilities you will find a team of professionals that know and love their job. A detailed auction catalog with lot numbers will be presented to all the pre-approved buyers on hand. The equipment will be paraded past the auction theatre full of attendees and broadcast live on the internet as well. We will furnish all personnel to conduct the auction, collect proceeds, and assist in load-out.
- ❖ **Online Auction Bidding:** JMWoodLive.com is our exclusive proprietary online bidding service. Since its inception, we have registered tens of thousands of pre-approved national and international buyers. Multiple photos of the exterior, interior and components of every item will be posted for online buyers. In addition, we provide detailed inspection services on any equipment the prospective buyer may need.
- ❖ **Buyer Services:** Prior to the auction, J.M. Wood Auction provides the buyer with detailed inspection services, financing options and logistical estimates. After the auction, we will coordinate coordination as well as dismantle and containerize equipment headed to the port.
- ❖ **Post Auction and Payment Terms:** J.M. Wood Auction will furnish a computerized statement of each item sold. We will issue seller a check for full settlement within **10 banking days** after the date of auction. Any service fees incurred such as clean-up, repairs, and transportation will be deducted from seller's final net proceeds.
- ❖ **Liens and Encumbrances:** Auctioneer acts as Seller's agent. Seller guarantees that he/she is the sole owner of items being sold and states that items are free of all mortgage's liens and encumbrances. Seller agrees to disclose all specific liens, blanket liens, mortgages, taxes, encumbrances or claims of any sort and states he is not connected to claim by Bankrupt Court or IRS. In the event, such claim should exist Seller agrees to pay all legal expense incurred by Auctioneer to protect and defend clear title. Seller hereby authorizes J.M. Wood Auction Co., Inc (hereby known as Auctioneer) at the absolute discretion of Auctioneer to carry out title searches in respect of the equipment at the expense of Seller, but in no case, shall Auctioneer have a duty to conduct, nor be responsible for the results of any such title search.

## Proposal Options:

### ❖ Option A: (Straight Commission)

- J.M. Wood Auction gives Huntsville Water Pollution Control, a total estimated auction value of **\$54,000.00** for the equipment listed on the attached Exhibit "A" as per the specifications and conditions listed on the (Exhibit "A"). A commission rate of **7% Absolute** will be charged to gross sales. City of Huntsville Water Pollution Control will be responsible for checkout of offsite items.

J.M. WOOD AUCTION COMPANY, INC. will provide, as a service to Huntsville Water Pollution Control, a detailed report on any repairs deemed necessary to make the equipment bring the maximum dollar. J.M. Wood Auction Co., Inc. will furnish a mandatory on-site detailed clean-up service. This clean-up service will be deducted from your net proceeds.

We would like to thank you for allowing J.M. Wood Auction Company, Inc. to present this proposal to you and we look forward to conducting your auction.

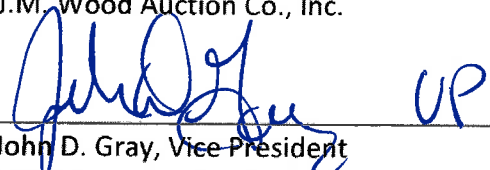
## *"We Turn Equipment into Cash."*

\_\_\_\_\_  
Mayor Tommy Battle  
City of Huntsville

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mason Lee, Regional Manager  
J.M. Wood Auction Co., Inc.

  
\_\_\_\_\_  
Date

 UP  
\_\_\_\_\_  
John D. Gray, Vice President  
J.M. Wood Auction Co., Inc.  
*Alabama Auctioneer's License # 1791*

  
\_\_\_\_\_  
Date

THIS DOCUMENT IS CONFIDENTIAL; IT CONTAINS PROPRIETARY INFORMATION THAT IS INTENDED ONLY FOR USE BY AUTHORIZED J.M. WOOD AUCTION CO., INC. REPRESENTATIVES AND AUCTIONEERS. THIS DOCUMENT MAY NOT BE COPIED OR SHARED WITH ANY PARTY OTHER THAN J.M. WOOD AUCTION CO., INC. UNAUTHORIZED USE IS STRICTLY PROHIBITED.



Exhibit A  
Huntsville Water Pollution  
Shane Cook, Director  
1800 Vermont Rd SW  
Huntsville, AL 35802  
256-261-9401  
shane.cook@huntsvilleal.gov



<https://share.icloud.com/photos/0fenMLvabP2s69C46NGEAMT6g>

Auction: March 21-24, 2022 in Montgomery, Alabama

Eq #	CATEGORY	YEAR	MAKE	MODEL	S/N	DESCRIPTION	HRS/MILES	CONDITION	REPAIRS REQUIRED
021296	PICKUP TRUCK	2004	FORD	F150	2FTRX18W64CA14940	4X4, ext cab, gas		inop, bad motor and trans	
021236	CARGO VAN	2002	CHEVROLET	2500 EXPRESS	1GCGG25R221171598	gas	156,223	below average, runs and drives, paint peeling, rust on roof	clean-up
021408	SERVICE TRUCK	2006	CHEVROLET	3500	1GBJC34U46E197376	reg cab, RKI service body, Venturo ET10KX crane, fuel tank	no odo reading / 343 engine hours	fair, runs and drives, cracked seat,	clean-up
021186	PICKUP TRUCK	2000	FORD	F250	1FTNF21LXYED81654	4x4, reg cab, gas	251,413	below average, runs and drives, dent in front bumper, dent on passenger side, dings throughout	clean-up
021278	PICKUP TRUCK	2003	GMC	SIERRA 1500	1GTEK14VX32311690	4x4, reg cab, gas	156,511	average, ripped seat, runs and drives	clean-up
040170	FARM TRACTOR		FORD	7740	BD79216	2wd, (2) remotes, 3PTH, 18.4-34 rear tires, cab, A/C	1,236	below average, cranks and runs, hyd leak	clean-up
021385	SERVICE TRUCK	2006	FORD	F450	1FDXF46Y36EA01913	reg cab, Southeaster Truck Body service body, gas		average, runs and drives	clean-up
050198	CRAWLER LOADER	1992	DRESSER	100G		MP bucket, canopy	1,239	below average, cranks and runs, 1 track slight drag	clean-up
050362	EXCAVATOR	2001	KOMATSU	PC300LC-6LE	A84590	thumb, cab		poor, hyd bypass / sluggish, stick will move but not correctly, missing front glass, ripped seat	clean-up

Eq #	CATEGORY	YEAR	MAKE	MODEL	S/N	DESCRIPTION	HRS/MILES	CONDITION	REPAIRS REQUIRED
040198	FARM TRACTOR		NEW HOLLAND	TL80	1296251	2wd, 3PTH, roll bar	263	inop, FR tire off rim	clean-up
020769	FLATBED TRUCK	1989	CHEVROLET	3500	1GBJR34K5KF306591	reg cab, 10' flatbed, gas, 6 speed trans	85,703	inop, dent in passanger door	
050319	CRAWLER LOADER	1997	CATERPILLAR	953C	2ZN00705	MP bucket, cab, A/C		needs fuel system, push rods bent, 3 out of 6 injectors bad, Cat est \$12,000 \$14,000 to repair	
050566	EXCAVATOR - MINI	2017	KUBOTA	KX080-4	36676	6' stick, 24" bucket, aux hyd, hyd thumb, angle blade, rubber tracks, cab		inop, fell off trailer, est \$30,000 to fix	
050593	MOWER	2018	KUBOTA	ZD1211L	23171	zero turn, canopy, 72" deck		inop, bad motor	
021647	SERVICE TRUCK	2009	FORD	F450	1FDAF4GY0AEA18200	supercab,		UNABLE TO INSPECT	clean-up
840055	ROTARY CUTTER		JOHN DEERE	MX10	15889			UNABLE TO INSPECT	
021563	PICKUP TRUCK	2008	FORD	F150	1FTPX12V58FB53295	supercab,		UNABLE TO INSPECT	clean-up
720042	MOWER	2005	JOHN DEERE	Z-TRAC 757	TC0757B0418	54" deck		inop	
050535	MOWER	2013	TORO	GROUNDMASTER 3280	313000273			inop	

TOTAL AUCTION VALUE:	\$54,000.00
Commission Rate:	7%



**EXHIBIT "A"**

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Eq #	CATEGORY	YEAR	MAKE	MODEL	S/N	DESCRIPTION	HRS/MILES	CONDITION	REPAIRS REQUIRED
					Sale Date:	March 21-24, 2023			

Customer Initial \_\_\_\_\_

JMW Initial \_\_\_\_\_

JMW Initial \_\_\_\_\_

